

# House File 63 - Introduced

HOUSE FILE 63

BY M. SMITH

## A BILL FOR

1 An Act relating to delivery of absentee ballots to certain  
2 health care facilities and hospitals.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 53.2, subsection 2, Code 2013, is amended  
2 by adding the following new paragraph:

3 NEW PARAGRAPH. *d.* Absentee ballot applications shall  
4 include the following questions in substantially the following  
5 form:

6 RESIDENT OR PATIENT IN A HEALTH CARE FACILITY OR HOSPITAL

7 1. Are you a resident or patient in a health care facility  
8 or hospital?

9 ☐ Yes

10 ☐ No

11 2. If yes, how would you like your absentee ballot  
12 delivered?

13 ☐ I request delivery and assistance from two special precinct  
14 election officers.

15 ☐ I request delivery by mail.

16 Sec. 2. Section 53.8, subsection 3, paragraph b, Code 2013,  
17 is amended to read as follows:

18 *b.* (1) If the application is received more than five days  
19 before the ballots are printed and the commissioner has elected  
20 to have the ballots personally delivered during the ten-day  
21 period after the ballots are printed, the commissioner shall  
22 mail to the applicant, if the applicant has not requested that  
23 the absentee ballot be delivered by mail pursuant to section  
24 53.22, subsection 1, paragraph "a", subparagraph (1A), within  
25 twenty-four hours a letter in substantially the following form:

26 Your application for an absentee ballot for the election  
27 to be held on ..... has been received. This ballot will  
28 be personally delivered to you by a bipartisan team sometime  
29 during the ten days after the ballots are printed. If you will  
30 not be at the address from which your application was sent  
31 during any or all of the ten-day period immediately following  
32 the printing of the ballots, the ballot will be personally  
33 delivered to you sometime during the fourteen days preceding  
34 the election. If you will not be at the address from which  
35 your application was sent during either of these time periods,

1 contact this office and arrangements will be made to have your  
2 absentee ballot delivered at a time when you will be present at  
3 that address.

4 (2) If the application is received more than fourteen  
5 calendar days before the election and the commissioner has not  
6 elected to mail absentee ballots to applicants as provided  
7 under section 53.22, subsection 3, and has not elected to have  
8 the absentee ballots personally delivered during the ten-day  
9 period after the ballots are printed, the commissioner shall  
10 mail to the applicant, if the applicant has not requested that  
11 the absentee ballot be delivered by mail pursuant to section  
12 53.22, subsection 1, paragraph "a", subparagraph (1A), within  
13 twenty-four hours a letter in substantially the following form:  
14 Your application for an absentee ballot for the election  
15 to be held on ..... has been received. This ballot will  
16 be personally delivered to you by a bipartisan team sometime  
17 during the fourteen days preceding the election. If you will  
18 not be at the address from which your application was sent  
19 during any or all of the fourteen-day period immediately  
20 preceding the election, contact this office and arrangements  
21 will be made to have your absentee ballot delivered at a time  
22 when you will be present at that address.

23 Sec. 3. Section 53.22, subsection 1, paragraph a, Code 2013,  
24 is amended by adding the following new subparagraph:

25 NEW SUBPARAGRAPH. (1A) Notwithstanding subparagraph (1)  
26 and subsection 3, the commissioner shall, if the applicant so  
27 requests, have the absentee ballot delivered by mail and the  
28 commissioner shall proceed under section 53.8, subsections 1  
29 and 2.

30 EXPLANATION

31 Under current law, a resident or patient of a health care  
32 facility or hospital who makes application for an absentee  
33 ballot is, in most circumstances, delivered the ballot by two  
34 special precinct election officials appointed by the county  
35 commissioner of elections. This bill requires that form

1 applications for an absentee ballot include certain questions  
2 related to whether the applicant is a resident or patient  
3 in a health care facility or hospital and the applicant's  
4 preferred method of ballot delivery if the applicant is such a  
5 resident or patient. The bill provides that, upon receipt of  
6 an application for an absentee ballot by a resident of a health  
7 care facility or hospital, the commissioner shall have the  
8 absentee ballot delivered by mail if the applicant so requests.  
9 The bill makes corresponding changes related to certain letter  
10 notifications sent by the commissioner to an applicant who is a  
11 resident of a hospital or health care facility.